

ing bills to be read on three several days, upon which the yeas and nays were as follows:

YEAS—Messrs. Bigelow, Bogart, Davis, Day, Eddy, Gray, Hart, Merriman, Reaves, Scott, Sterne, Taylor, Truit, Williams and Wilson—15.

NAYS—Messrs. Armstrong, Burks, Dancy, Grimes and Hill—5. Lost, four-fifths not voting for it.

On motion of Mr. Reaves, the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, November 27, 1851.

The Senate was called to order by the President, pursuant to adjournment—roll called—quorum present—prayer by the Rev. Mr. Smith—the journal of yesterday was read and adopted.

Mr. Bigelow presented the petition of sundry citizens of Brownsville; referred to the committee on the Judiciary.

Mr. Hill presented the petition of Allensworth Adams; referred to the committee on State Affairs.

Mr. Sterne presented papers relating to the claim of John S. Roberts for land; referred to the committee on Private Land Claims.

Mr. Day, from the committee on Private Land Claims, to whom was referred the petition of Humphrey T. Chappell, reported a bill for his relief, which was read first time.

Mr. Taylor, from the same committee, submitted the following counter report:

The undersigned, a member of the committee on Private Land Claims, differing with the majority of said committee in their report upon the petition of Humphrey T. Chappell, asks leave to make this counter report.

In the first place, Mr. Chappell admits in his petition that his headright certificate was not recommended by the travelling Board of Land Commissioners; that he has fulfilled the requirements of the second section of the eleventh article of the Constitution, which requires suit to be brought in the district court upon such cases by a certain time. The petitioner complains that he is not likely to get a trial soon in the court, and he therefore prays the legislature for relief in the premises. The undersigned is of opinion that the Legislature has no right to interfere in cases which the Constitution has pointed out the

mode and manner of adjudication. That portion of the constitution above alluded to, indicates that cases of this character should be tried by the district court. Now, the undersigned is of opinion (to say the least of it) that the expediency of legislative action upon cases of this character is very doubtful.

All of which is submitted.

M. D. K. TAYLOR,

One of the committee.

Mr. Armstrong, from the committee on the Judiciary, to which was referred a bill to change the name of the county seat of Bell county; reported the same back and recommended its passage.

Mr Taylor, chairman of the committee on Private Land Claims, to whom was referred a bill for the relief of Walter Gibbs of Liberty county, reported the same back with the following amendments, and recommended its passage.

First amendmet—after the word “acres,” in fourth line, insert “of land.”

Second amendment—after the word “acres” in eighth line, insert “of land.”

Mr. Reaves, chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed, to-wit:

A bill to incorporate Battle Creek Academy in the county of Navarro.

A bill to amend an act concerning the book or register of land certificates, issued for the county of Harris, which was at one time mislaid, but said book has subsequently been found and identified as genuine and unaltered.

A bill to repeal the 13th and 15th sections of an act concerning wills, approved January 28, 1840.

A bill for the relief of the heirs of Joseph Rutherford deceased; and

A bill to authorize the Commissioner of the General Land Office to issue patents on land certificates, issued by or by order of the supreme or district courts.

ORDERS OF THE DAY.

A bill to authorize the Commissioner of the General Land Office to issue patents on land certificates, issued by order of the supreme or district courts, read, and, on motion of Mr. Williams, laid on the table.

A message was received from the House, informing the Senate that the House had passed

A bill to legalize certain acts and records of the clerk of the county court of Lamar county, which originated in the Senate: also, that the House had passed the following bills, to-wit:

A bill for the relief of the heirs of Andrew J. Harrison.

A bill granting Thomas Cevallos permission to remain in this State.

A bill to remove certain Spanish records hereinafter described from the General Land Office, to the county court clerk's office of Refugio county.

A bill concerning the investment of the funds of minors.

A bill concerning the recording of marriage licenses.

A bill for the relief of persons who have obtained land certificates from the county court of Grimes county, (the records of which have been destroyed by fire) between July 1st and December 31st, 1848.

A bill for the relief W. D. Thompson & Co., assignees of John Simonds.

A bill for the relief Julia Buchanan.

A bill granting certain powers to the Corporation of Galveston city.

A bill to incorporate Milam Masonic Female Institute in the county of Bowie; and

A bill to incorporate Goodman's Turnpike Company, which were severally read first time.

A bill to repeal the 13th and 15th sections of an act concerning wills, approved January 28th, 1840; read third time and passed by the following vote:

Yeas—Messrs. Armstrong, Bigelow, Burks, Burleson, Dancy, Davis, Day, Doane, Eddy, Gray, Grimes, Hill, Kinney, Merriman and Parker—15.

Nays—Messrs. Bogart, Hart, Reaves, Scott, Taylor, Truit, Williams and Wilson—8.

A bill to incorporate Battle Creek Academy in the county of Navarro; read third time and passed by the following vote:

Yeas—Messrs. Armstrong, Bigelow, Bogart, Burks, Burleson, Dancy, Davis, Day, Doan, Eddy, Grimes, Hart, Hill, Kinney, Merriman, Parker, Reaves, Scott, Taylor, Truit, Williams and Wilson.—24.

Nays—None.

A bill to amend an act concerning the book or register of land certificates issued for the county of Harris, which was at one time mislaid, but said book has subsequently been found and identified as genuine and unaltered; and

A bill for the relief of the heirs of Joseph Rutherford, deceased; read third time and passed.

Joint resolution instructing our Senators and requesting our Representatives in the Congress of the United States to procure

the establishment of a mail route from Sabine Pass to Jefferson in Cass county ; read and ordered to be engrossed.

A bill to grant a ferry privilege to H. L. Brook ; read and ordered to be engrossed.

A bill to authorize David Hill to construct a brige across the Sabine river, together with the report of the committee on Roads, Bridges and Ferries, offering amendments thereto, was read ; report adopted, and bill ordered to be engrossed.

A bill for the relief of John Powers ; read, and passed to third reading.

The resolution of the Senate instructing the committee on Finance to enquire into the expediency of so amending the laws defining the time of closing the annual accounts of the Comptroller and other officers of the State Treasury, etc. ; read and adopted.

The resolution of the Senate instructing the committee on Printing to enquire into the expediency of abolishing the contract made by said committee under an order of the Senate with the printers for the enormous number of papers that the former contract authorized ; read and adopted.

The resolution of the Senate instructing the committee on the Penitentiary to enquire into the expediency of so amending the act to establish a State Penitentiary as to make it the duty of the Clerks of district courts to notify the Superintendant whenever any person shall be sentenced to the Penitentiary, etc. ; was read and adopted.

A bill to abolish the office of Adjutant-General and to provide for the transfer of the documents and records pertaining thereto to the Land Office ; read second time, and, on motion of Mr. Kinney, laid on the table until Monday the first day of December.

A bill the better to define the limits of the Milam land district ; read second time, and, on motion of Mr. Hill, referred to the committee on Public Lands.

A bill to fix the time for the biennial meeting of the Legislature ; read second time, and, on motion of Mr. Taylor, referred to the committee on State Affairs.

A bill for the relief of A. F. Holcombe ; read second time, and, on motion of Mr. Taylor, referred to the committee on Public Lands.

A bill for the relief of William Cummins, Robert T. Hughs and Reuben Crawford ; read second time and ordered to be engrossed.

A bill to authorize the Comptroller of the State of Texas to

issue duplicates of land scrip to the heirs of Robert Riddle, deceased; read second time and ordered to be engrossed.

A bill for the relief of Philip Evans; read third time and passed by the following vote:

YEAS—Messrs. Armstrong, Bigelow, Burks, Burleson, Dancy, Davis, Doan, Eddy, Gray, Grimes, Hill, Kinney, Merriman, Parker, Reaves, Scott and Truit—17.

NAYS—Messrs. Day, Hart and Taylor—3. Mr. Wilson excused.

A bill to permit Mary Madison to remain in the county of Galveston, in this State—read a third time and passed by the following vote:

YEAS—Messrs. Armstrong, Bigelow, Bogart, Burks, Burleson, Dancy, Doane, Grimes, Kinney, Merriman, Parker, Reaves, Scott, Truit and Wilson—15.

NAYS—Messrs. Davis, Day, Eddy, Gray, Hart, Hill and Taylor—7.

A bill giving damages upon protested drafts and bills of exchange—read second time, and on motion of Mr. Taylor, referred to the Committee on the Judiciary.

A bill for the relief of Penelope Newsom, daughter and heir of Robert Conn, deceased—read, and passed to a third reading.

A bill to admit Joseph A. W. Everett, Samuel A. Wilson and Harman A. Perryman, to practice law in the several courts of this State—read second time, and on motion of Mr. Williams, amended by inserting "Roger Q. Mills" after "Samuel A. Wilson." The bill then passed to a third reading.

A bill to incorporate the Peoples' Line of Gulf Steamers—read second time. On motion of Mr. Dancy, the enacting clause was amended by inserting the words "the State of," after the words "Legislature of."

Mr. Eddy offered the following amendment:

In section 3, before the word "Galveston," insert "Sabine Pass." On motion of Mr. Eddy, the bill was referred to the Committee on State Affairs.

A bill to incorporate the town of Clarksville; read second time, and on motion of Mr. Williams, referred to the Committee on the Judiciary.

A bill to incorporate the town of Quitman; read second time, and on motion of Mr. Williams, referred to the Committee on the Judiciary.

A bill to repeal the 24th section of an act concerning crimes and punishments, approved 20th March, 1848—read second time, and on motion of Mr. Taylor, referred to the Committee on the Judiciary.

A bill to incorporate the Clarksville and Red River Turnpike Company—read second time, and on motion of Mr. Taylor, referred to the Committee on Internal Improvements.

Mr. Wilson introduced a bill to incorporate the Victoria Lodge, No. 9, of the Independent Order of Odd Fellows—read first time.

On motion of Mr. Day, the Senate adjourned until 10 o'clock, to-morrow morning.

FRIDAY, November 28, 1851.

The Senate was called to order by the President *pro tem.* pursuant to adjournment—prayer by the Rev Mr. Smith—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Parker presented the petition of Andrew C. Walters; read, and referred to the committee on the Judiciary.

Mr. Truit presented the petitions of William Hughs and of S. C. Henderson, asking for lands; read, and referred to the committee on Private Land Claims.

Mr. Armstrong, chairman of the committee on Public Lands, to whom was referred a bill to require the return of field-notes in certain cases, reported a substitute therefor, and recommended its adoption and passage.

Mr. Taylor, chairman of the committee on Private Land Claims, to whom was referred the petition of the heirs of Levi P. Lockhart, reported a bill for their relief, which was read first time.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a bill allowing assessors and collectors to employ deputies, reported the same back, and recommended its passage.

Mr. Williams, chairman of the committee on Internal Improvements, to whom was referred a bill to amend the 17th section of the act to incorporate the Buffalo Bayou, Brazos and Colorado Railroad Company, reported the same back, and recommended its passage.

Mr. Davis, chairman of the committee on State Affairs, to whom was referred a bill to incorporate the People's Line of Gulf Steamers, reported the same back, with the following amendments, and recommended their adoption, and the passage of the bill: